

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARVESTER EDWARDS,

Defendant.

No. 11-CR-2025-LRR

ORDER

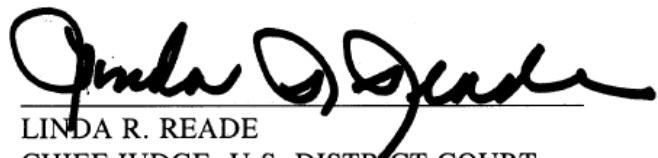
The matter before the court is Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 137). On August 19, 2011, Defendant Arvester Edwards filed a "Motion to Suppress and Request for Hearing" ("Motion") (docket no. 112). On August 31, 2011, Judge Scoles held a hearing. Assistant United States Attorney Patrick J. Reinert represented the government. Defendant appeared in court with his attorney, John L. Lane. On September 7, 2011, Judge Scoles issued the Report and Recommendation, which recommends that this court deny the Motion. The Report and Recommendation states that "within fourteen (14) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections with the district court." Report and Recommendation at 12.

The time to object to the Report and Recommendation has expired. Defendant has not filed any objections to the Report and Recommendation. Defendant has thus waived his right to de novo review of the Report and Recommendation. *See, e.g., United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001) ("Appellant's failure to file any objections waived his right to de novo review by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact contained therein." (quoting *Griffini v. Mitchell*, 31 F.3d 690, 692 (8th Cir. 1994)) (internal quotation marks omitted)). The court finds no plain error in Judge Scoles's

decision. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 137). The Motion (docket no. 112) is **DENIED**.

IT IS SO ORDERED.

DATED this 22nd day of September, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA